

PATENT

ATTORNEY DOCKET NO. INGE.006.00US

UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

2/17/98  
5620

In re application of: *van der Eb et al*

Serial No.: 08/973,560

Filed: December 5, 1997

Title: **p-53 BINDING PROTEIN CALLED  
Mdmx AND ENCODING SEQUENCES  
FOR SAID PROTEIN**

) Examiner: Not yet assigned

) Art Unit: Not yet assigned

) **REQUEST FOR REFUND**  
) **UNDER 37 CFR 1.28(a)**

ATTN: Refund Section,  
Accounting Division  
Office of Finance

Assistant Commissioner For Patents  
Washington, D.C. 20231

98 FEB 13 NO 27  
OFFICE OF THE  
COMMISSIONER OF  
PATENTS

Sir:

Enclosed herewith is are two Verified Statement Claiming Small Entity Status in this application. This request for refund is made within two months of the date a fee was paid on this application, as follows:

<u>Date Fee Paid</u>	<u>Type of Fee</u>	<u>Fee Paid</u>	<u>Refund Requested</u>
December 5, 1997	Patent Application Filing Fee	\$1200.00	\$600.00

**TOTAL REFUND REQUESTED \$600.00**

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner For Patents, Washington, D.C. 20231 on 2-5-98

Signature: Annette Parker

Printed Name: Annette Parker

Please make the refund by crediting Deposit Account No. 18-0020.

[X] Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

[X] The Commissioner is hereby authorized to charge any underpayment of the fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment, to Deposit Account No. 18-0020.

[X] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

[X] Any patent application processing fees under 37 CFR 1.17.

[X] **A duplicate copy of this sheet is attached for accounting purposes.**

Respectfully submitted,

Dated: February 4, 1998

Barbara Rae-Venter, Ph.D.  
Barbara Rae-Venter, Ph.D.  
Reg. No. 32,750

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BRV/amp

BRV/amp INGE.006.00US REFUND REQ 020498

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: van der Eb *et al* ) Examiner: Not yet assigned  
Serial No.: 08/973,560 ) Art Unit: Not yet assigned  
Filed: December 5, 1997 )  
For: **p-53 BINDING PROTEIN CALLED** ) **VERIFIED STATEMENT**  
**Mdmx AND ENCODING** ) **(DECLARATION) CLAIMING**  
**SEQUENCES FOR SAID PROTEIN** ) **SMALL ENTITY STATUS (37**  
 ) **C.F.R. §§ 1.9(f) & 1.27(d) -**  
 ) **SMALL BUSINESS CONCERN**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: INTROGENE B.V.

Address of Concern: Wassenaarseweg 72, 2333 AL Leiden, The Netherlands

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

**p-53 BINDING PROTEIN CALLED**  
**Mdmx AND ENCODING SEQUENCES FOR SAID PROTEIN**

by inventors Alex Jan van der Eb, Aart-Gerrit Jochemsen, and Avraam Shvarts

☐ the specification filed herewith

☒ Application Serial No. \_\_\_\_\_ filed December 5, 1997 identified as  
Attorney Docket No. INGE.006.00US

☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name RIJKSUNIVERSITEIT LEIDEN

Address Wassenaarseweg 72, 2333 AL Leiden, The Netherlands

☐ Individual ☐ Small business concern ☒ Non-profit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(d)).

I hereby declare that all statements are made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing Domenico Valero

Title of Person Other than Owner CEO

Address of Person Signing Wassenaarseweg 72, 2333 AL Leiden, The

Signature  Netherlands

Date February 2, 1998

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: van der Eb *et al* ) Examiner: Not yet assigned  
Serial No.: 08/973,560 ) Art Unit: Not yet assigned  
Filed: December 5, 1997 )  
For: **p-53 BINDING PROTEIN CALLED** ) **VERIFIED STATEMENT**  
**Mdmx AND ENCODING** ) **(DECLARATION) CLAIMING**  
**SEQUENCES FOR SAID PROTEIN** ) **SMALL ENTITY STATUS (37**  
 ) **C.F.R. §§ 1.9(f) & 1.27(d) -**  
 ) **NONPROFIT ORGANIZATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: **RIJKSUNIVERSITEIT LEIDEN**  
Address of Organization: Wassenaarseweg 72  
2333 AL Leiden

Type of Nonprofit Organization:

- ☒ University or Other Institution of Higher Education
- ☐ Tax Exempt Under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)]
- ☐ Nonprofit Scientific or Educational Under Statute of State of the United States of America
- (Name of State: \_\_\_\_\_)  
(Citation of Statute: \_\_\_\_\_)
- ☐ Would qualify as tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)] if located in the United States of America
- ☐ Would qualify as nonprofit scientific or educational under Statute of State of the United States of America if located in United States of America
- (Name of State: \_\_\_\_\_)  
(Citation of Statute: \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under

Section 41(a) or (b) of Title 35, United States Code with regard to the invention identified above and described in

☐ the specification filed herewith

☒ application filed December 5, 1997, identified as Attorney Docket No. INGE.006.00US

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

Name: INTROGENE B.V.

Address: Wassenaarseweg 72, 2333 AL Leiden, The Netherlands

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization


Name:

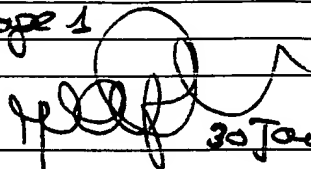
Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.



Name of Person Signing P. V. U. van Grevenstein, Manager Director PKL  
Title of Person Other than Owner \_\_\_\_\_  
Address of Person Signing see page 1  
Signature   
Date 30 Jan, 1998

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